



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Betty Rivera
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

August 21, 2002

Myco Industries, Inc.
c/o **Holland & Hart L.L.P.**
P. O. Box 2208
Santa Fe, New Mexico 87504-2208

Attention: Michael H. Feldewert

Re: *Division Case No. 12913: Application of Myco Industries, Inc. for compulsory pooling in the N/2 Section 13, Township 21 South, Range 27 East, NMPM, Eddy County, New Mexico (Baton Rouge North State Com. Well No. 1).*

Dear Mr. Feldewert:

Pursuant to the Division's new "continuance procedures" (see copy attached), your motion to continue this case from the August 22, 2002 docket to October 10, 2002 (seven weeks) is hereby approved.

Should you have any further questions concerning this matter, please contact Richard Ezeanyim, Chief of the Engineering Bureau, at (505) 476-3467. Thank you.

Sincerely

Michael E. Stogner
Chief Hearing Officer/Engineer

cc: **Jim Bruce, Legal Counsel for Devon Energy Production Company, LP – Santa Fe**
Florence Davidson, NMOCD – Santa Fe

HOLLAND & HART LLP
ATTORNEYS AT LAW

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Michael H. Feldewert

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August 19, 2002

VIA HAND DELIVERY

RECEIVED

AUG 20 2002

Lori Wrotenbery, Director
Oil Conservation Division
New Mexico Energy, Minerals &
Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Oil Conservation Division

**Re: Case 12913: Application of Myco Industries, Inc. for
Compulsory Pooling, Eddy County, New Mexico (Baton Rouge
North State Com Well No. 1)**

**Case 12914: Application of Myco Industries, Inc. for
Compulsory Pooling, Eddy County, New Mexico (Baton Rouge
South State Com Well No. 1)**

Dear Ms. Wrotenbery:

Myco Industries requests that the Examiner Hearing in the above-referenced matters, currently scheduled for August 22, 2002, be continued to the October 10, 2002 Examiner docket. One of the affected parties, Devon Energy Production, has requested additional time to consider these well proposals and the parties are in the process of exchanging information in the hope of reaching a resolution.

Your attention to this request is appreciated.

Sincerely,



Michael H. Feldewert

MHF/js

cc: Shari Darr Hodges, CPL
James Bruce, attorney for Devon Energy Production

June 17, 2002

TO ALL ATTORNEYS AND APPLICANTS

Re: OCD Continuance Procedure

Ladies and Gentlemen:

After consultation with attorneys who regularly practice before the Division and with the hearing examiners, the Division has determined that applications pending before Division examiners should not be continued more than twice, except for unusual and cogent reasons, and that cases should not ordinarily be continued for more than four (4) weeks.

Accordingly, effective at all Division hearings after July 1, 2002, cases not presented at the third docket on which they are set will be dismissed unless a Motion for Continuance is filed setting forth specifically the reasons for the continuance, and the continuance is granted by letter signed by the examiner. Any continuance of more than four weeks will likewise require a motion stating specific reasons and a signed letter granting the continuance.

Should you have any questions about the application of this procedure, please contact Richard Ezeaniym, Chief of the Engineering Bureau, at (505)-476-3467, or David Brooks, Division attorney, at (505)-476-3450.

We believe that this new procedure, with your assistance and cooperation, will improve the efficiency of the Division's hearing process.

Very truly yours,

Lori Wrotenbery
Director